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Pro Se Claimant and

Party to California Public Utilities Commission Proceeding I.19-09-016 to Consider the Ratemaking and Other Implications of a Proposed Plan for Resolution of Voluntary Case filed by Pacific Gas and Electric Company, pursuant to Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Corporation and Pacific Gas and Electric Company, Case No. 19- 30088.

Party to California Public Utilities Commission Proceeding I.15-08-019 to Determine whether Pacific Gas and Electric Company and PG&E's Corporation's Organizational Culture and Governance Prioritizes Safety

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

-and-

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Bankr. Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administrated)

**WILLIAM B. ABRAMS OPPOSITION
TO THE NOTICE OF FILING OF
SECOND REVISED DRAFT
PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER CONFIRMING DEBTORS'
AND SHAREHOLDER
PROONENTS' JOINT CHAPTER 11
PLAN OF REORGANIZATION
GIVEN JUNE 16 SUMMARY OF THE
CAMP FIRE INVESTIGATION BY
THE BUTTE COUNTY DISTRICT
ATTORNEY REFERENCING
MATERIAL ISSUES FOR PLAN
CONFIRMATION [Dkt. 8025]**

1 **PLEASE TAKE NOTICE** that a summary of the investigation into the PG&E Camp Fire
2 entitled “*The Camp Fire Public Report, A Summary of The Camp Fire Investigation*” was issued on
3 June 16, 2020 by the Butte County District Attorney that directly references a reliance upon this
4 proceeding and matters unresolved in the current Draft Plan of Reorganization proposed by the
5 Debtors. This provides substantive new evidence that the court must consider and is attached hereto
6 as Exhibit A.

7 **PLEASE TAKE FURTHER NOTICE** that this investigation uncovered a number of
8 organizational and structural issues that led to the Camp Fire and subsequent 84 convictions of
9 manslaughter by the Debtors that are completely unaddressed by the proposed Plan of
10 Reorganization. These unaddressed material and ingrained structural deficiencies provide further
11 evidence of plan infeasibility under U.S.C. Section 1129 and need to be considered as part of the
12 record.

13 **PLEASE TAKE FURTHER NOTICE** that the Debtors have chosen not to call witnesses or
14 identify remedies to address these known persistent material issues identified during this Butte
15 County investigation. These unmitigated structural issues cemented in this plan of reorganization
16 provide the Debtors with no reasonable chance of avoiding further restructuring or liquidation in the
17 near future. No plan should be considered feasible if it does not address the structural issues that led
18 the Debtors into bankruptcy. The Debtors over-reliance on future “Plan B” restructuring options
19 (customer owned utility, public benefit corporation, etc.) or the State Wildfire Fund should not be
20 considered as substitutes for this court in its confirmation decision.

21 **PLEASE TAKE FURTHER NOTICE** that the plan must directly address the financial and
22 non-financial issues revealed in this Butte County investigation if it is to be deemed feasible. The
23 findings of this investigation illustrate the underlying foundational problems of the Debtors’ structure
24 which includes a strategy of deferring maintenance and strategic neglect to increase short-term return
25 for investors. This plan as structured continues this trend and leaves the Debtors, victims and the
26 public at greater risk. As other courts deal with the past crimes of the Debtors, it is imperative of this
27 court to look to the future and ensure the Debtors have a REAL plan of reorganization. No business
28 plan or plan for restructuring can be considered feasible if it does not directly address primary risk

1 factors like the increasing risk of wildfires faced by the Debtors. Even at this late date, it is critical for
2 the court to consider that the Butte County Investigation provides clear new evidence that the plan of
3 reorganization as drafted is not feasible under U.S.C. Section 1129.

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6 Dated: June 19, 2020
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11 Respectfully submitted,

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14 William B. Abrams

15 Pro Se Claimant
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